

Amendments to the Drawings:

Figure 1 is hereby amended. This sheet replaces the previous drawing sheet. New Figures 4 and 5 are added.

The drawings stand objected to under 37 CFR 1.83(a) as not depicting the features recited in claims 16-19. Claim 18 has been cancelled. The features of claims 16, 17 and 19 are properly supported by the originally filed specification at page 8, lines 5-22. Applicants have added Figures 4 and 5 to illustrate the third embodiment of the invention described at page 8, lines 5-22 of the originally filed specification. Thus, the subject matter disclosed in Figures 4 and 5 is properly supported by the originally filed specification at page 8, lines 5-22. No new matter has been added. Figure 1 stands objected to as not including the legend "Prior Art". Figure 1 is herein amended to include such a label. Withdrawal of the objections to the drawings is respectfully requested.

Remarks/Arguments:

Claim Status

Claims 11, 13-17 and 19-22 are currently pending. Claims 12 and 18 have been cancelled without prejudice or disclaimer of the subject matter thereof. New claim 22 is properly supported by originally filed Figure 2 and the originally filed specification at page 6, lines 18-26. No new matter has been added.

Claim Rejections Under 35 U.S.C. 112

Claim 18 stands rejected under 35 U.S.C. 112, second paragraph. Claim 18 has been cancelled without prejudice or disclaimer of the subject matter thereof. This rejection is moot in view of the cancellation of claim 18.

Claim Rejections Under 35 U.S.C. 102

Claims 11-16 stand rejected under 35 U.S.C. 102(b) as being anticipated by Li (6,230,561). Applicants respectfully request reconsideration of the rejection of these claims and submit that these claims are patentable over Li for the reasons set forth below.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." M.P.E.P. §2131 *citing Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Independent claim 11 recites: "A device for monitoring the fluid level of a supply reservoir comprising: a float including a magnet for actuating a switch or a sensor, wherein the float has a multipart design comprising a first float part and a second float part, wherein the second float part has an upper surface with an annular recess defined in the upper surface, the annular recess configured to receive and support the magnet and the first float part is configured to cover the recess such that the magnet is encased between the two float parts."

The upper surface of Li's gaskets 13, 14 and outer cap 15, which the Office Action characterizes as analogous to the "second float part" recited in claim 11, do not include an

annular recess. The upper surfaces of the gaskets 13, 14 and the outer cap 15 are flat. Thus, the gaskets 13, 14 and the outer cap 15 do not include an annular recess defined in an upper surface. For at least the foregoing reason, it is respectfully submitted that Li fails to teach or suggest each limitation of independent claim 11 and that independent claim 11 is in condition for allowance. Claims 13-16 each depend from claim 11 and are therefore allowable for at least the reasons set forth above. Reconsideration and allowance of claims 11 and 13-16 are respectfully requested.

Claims 11 and 17 stand rejected under 35 U.S.C. 102(b) as being anticipated by George (3,555,905). Applicants respectfully request reconsideration of the rejection of these claims and submit that these claims are patentable over George for the reasons set forth below.

George discloses an annular magnet embedded in a float body. George's float body does not include a part that includes an "upper surface with an annular recess" because the annular recess is defined on the revolved interior surface (i.e., a side surface) of George's float body as opposed to an upper surface of the float body. For at least the foregoing reason, it is respectfully submitted that George fails to teach or suggest each limitation of independent claim 11 and that independent claim 11 is in condition for allowance. Claim 17 depends from claim 11 and is therefore allowable for at least the reasons set forth above. Reconsideration and allowance of claims 11 and 17 are respectfully requested.

Claim Rejections Under 35 U.S.C. 103

Claim 19 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Li (6,230,561) in view of Wright (450,856). Applicants respectfully request reconsideration of the rejection of this claim and submit that this claim is patentable over Li and Wright for the reasons set forth below.

Claim 19 depends from claim 11 and includes all of the limitations thereof. The Office Action characterizes Li's gaskets 13, 14 and outer cap 15 as analogous to the "second float part" recited in claim 19, and the Office Action characterizes Li's float 20 as analogous to the "first float part" recited in claim 19. As stated previously, the upper surfaces of the gaskets 13, 14 and the outer cap 15 do not include an annular recess. Wright fails to overcome the

deficiencies of the Li reference because Wright also does not disclose or suggest a float part having an upper surface with an annular recess defined in the upper surface to receive and support a magnet. Accordingly, because claim 19 includes limitations that are neither disclosed nor suggested by Li and/or Wright, *prima facie* obviousness cannot be established based on the cited references. Reconsideration of claim 19 is respectfully requested.

Claims 20 and 21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Li (6,230,561) in view of Tandler (4,841,107). Applicants respectfully request reconsideration of the rejection of these claims and submit that these claims are patentable over Li and Tandler for the reasons set forth below.

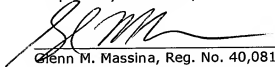
Claims 20 and 21 depend from claim 11 and includes all of the limitations thereof. Tandler fails to overcome the deficiencies of the Li reference because Tandler also does not disclose or suggest a float part having an upper surface with an annular recess defined in the upper surface to receive and support a magnet. Accordingly, because claims 20 and 21 include limitations that are neither disclosed nor suggested by Li and/or Tandler, *prima facie* obviousness cannot be established based on the cited references. Reconsideration of claims 20 and 21 is respectfully requested.

New claim 22 depends from claim 11 and therefore is allowable for at least the reasons set forth above. Claim 22 further recites an annular recess on the lower surface of the first float part and a common annular space defined by the annular recesses of the first and second float parts. None of the cited references teach or suggest such a structure.

Conclusion

Applicants respectfully submit that this application is in condition for allowance, which action is respectfully requested. If the Examiner believes an interview will advance the prosecution of this application, it is respectfully requested that the Examiner contact the undersigned to arrange the same.

Respectfully submitted,



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Attachments: Figures 1 and 4-5 (2 sheets)

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